

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5383 of 2022

Arising Out of PS. Case No.-227 Year-2021 Thana- KAMTAUL District- Darbhanga

Paramjit Kumar @ Govind Kumar, S/o Bhikhari Ray, R/o village- Bathaul,
P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate
For the Opposite Party/s : Mr.Amitesh Kumar,A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 30-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), if any, as pointed out by the
office, be removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Kamtaul P.S. Case No. 227 of 2021 registered
for the alleged offences under Sections 399, 402, 414 and
120(B) of the Indian Penal Code and under Sections 25(1-b)a,
26 and 35 of the Arms Act.

As per prosecution case, police received information
about assembly of some miscreants with illegal arms for
committing some major offence and when the police reached at
the identified place, they found four miscreants standing along
with their two motorcycles. They tried to flee away from the



spot on seeing the police party. However, three of the miscreants including this petitioner were apprehended. From the co-accused Rahul Kumar Sahni, one loaded pistol with one live cartridge was recovered.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The allegation against the petitioner is that he was present with other co-accused persons but no fire arm or mobile was recovered from the possession of this petitioner. Actually nothing incriminating has been recovered from the conscious possession of the petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 10.12.2021. Another co-accused Vikash Kumar has been granted anticipatory bail by a Coordinate Bench vide order dated 15.06.2022 passed in Cr. Misc. No. 5646 of 2022.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the possession of this petitioner and further considering his period of custody along with submission of charge sheet against him, the petitioner



above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Darbhanga in connection with Kamtaul P.S. Case No. 227 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Gautam/daya

U		T	
---	--	---	--

